

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
FOR THE MINNESOTA BOARD OF TEACHING

In the Matter of the Denial of the  
Teacher's License Application of  
Premro Golden

**FINDINGS OF FACT,  
CONCLUSIONS OF LAW  
AND RECOMMENDATION**

The above-entitled matter came on for hearing before Administrative Law Judge Steve M. Mihalchick on Tuesday, November 18, 1997, at the Office of Administrative Hearings in Minneapolis, Minnesota. Rachel L. Kaplan, Assistant Attorney General, Suite 1200, 445 Minnesota Street, St. Paul, Minnesota 55101-2130, appeared on behalf of the Executive Secretary of the Minnesota Board of Teaching ("the Board"). Premro Golden, 2814 Northway Drive, No. 201, Brooklyn Center, Minnesota 55430-2428, appeared on her own behalf. The record closed at the conclusion of the hearing on November 18, 1997.

This Report is a recommendation, not a final decision. The Board of Teaching will make the final decision after a review of the record which may adopt, reject or modify the Findings of Fact, Conclusions, and Recommendations contained herein. Pursuant to Minn. Stat. § 14.61, the final decision of the Board shall not be made until this Report has been made available to the parties to the proceeding for at least ten days. An opportunity must be afforded to each party adversely affected by this Report to file exceptions and present argument to the Board. Parties should contact Judith A. Wain, Executive Secretary of the Minnesota Board of Teaching, 608 Capitol Square, 550 Cedar Street, St. Paul, MN 55101, to ascertain the procedure for filing exceptions or presenting argument.

**STATEMENT OF ISSUE**

The issue in this case is whether a Prekindergarten, Kindergarten, or Elementary Grades 1-6 teaching license should be issued to the Applicant under the standards set out in Minn. Stat. § 125.09 (1996), and Minn. R. 8700.2900, .3000, and .3200 (1995).

Based upon all of the proceedings herein, the Administrative Law Judge makes the following:

## **FINDINGS OF FACT**

1. In early 1997, Applicant submitted an application for a teaching license to the Board. The application requested a first time Minnesota education license in regular teaching. The Application had been forwarded to Loyola University of Chicago for verification of Applicant's academic record. Loyola certified that the Applicant completed an approved teacher education program that qualified her to teach in Illinois. Ex. 1, at 2. Applicant's transcript from Loyola was attached to the Application.

2. Applicant obtained an Associate of Arts degree in liberal arts from Olive Harvey College in Chicago, Illinois. After receiving her A.A. degree from Olive Harvey in 1990, Applicant attended Mundelein College. Mundelein merged with Loyola University of Chicago in 1991. Applicant was able to transfer 47 hours of credit from Olive Harvey and 15 hours of credit from Mundelein toward completion of her Bachelor of Science in Education degree from Loyola. Applicant completed 100 hours of clinical teaching experience. Applicant received her B.S. Ed. degree in 1994. Ex. 1.

3. Further information was requested by Board staff on April 21, 1997, for the purpose of determining whether Applicant's coursework had the content required of courses in Minnesota. Ex. 2. Board staff received a Loyola course catalog. From that document, the staff assessed the content of Applicant's coursework. Ex. 4. By letter of May 28, 1997, Applicant was advised that the catalog did not show courses that taught the "content and methods of K-6 curriculum in physical education, health, music, art, science and social studies." She was advised that therefore she was not eligible for an elementary school teaching license. Ex. 3.

4. On June 5, 1997, the Board mailed Applicant a formal notice of the denial of her application, with a notice of her appeal rights. Ex. 5.

5. By letter of June 11, 1997, Applicant appealed the denial of her application. Ex. 6.

6. The Notice of and Order for Hearing in this matter was served upon Applicant by mail on October 23, 1997.

7. Applicant admitted at the hearing that much of the liberal arts coursework she completed did not have any teaching methodology content.

Based upon the foregoing Findings of Fact, the Administrative Law Judge makes the following:

## **CONCLUSIONS**

1. The Minnesota Board of Teaching and the Administrative Law Judge have jurisdiction in this matter pursuant to Minn. Stat. §§ 14.50 and 125.05, 125.09 and 214.10 (1996) and Minn. R. 8700.2500.

2. The Board has the authority under Minn. Stat. § 125.09, subd. 1(4), to deny a teaching license for failure to meet the requirements of licensure.

3. Under Minn. R. 1400.7300, subp. 5, Applicant has the burden of establishing by a preponderance of the evidence that she is entitled to issuance of a license from the Board.

4. Minn. R. 8700.7800 sets forth standards for issuance of a license to applicants who receive their teacher education from states other than Minnesota. Subpart 3 of that rule applies to this case and states:

Subp. 3. **States without contracts with Minnesota.** Persons who complete programs leading to teacher licensure in teacher preparation institutions within states which have not signed contracts with Minnesota according to the provisions of the interstate agreement on qualification of educational personnel shall be granted a Minnesota entrance license when all of the following criteria are met:

A. the teacher preparation institution is regionally accredited by the association for the accreditation of colleges and secondary schools;

B. the program leading to teacher licensure has been recognized by the state as qualifying the applicant completing the program for current licensure within that state;

C. the program leading to teacher licensure completed by the applicant is essentially equivalent in content to approved programs offered by Minnesota teacher preparation institutions according to Board of Teaching rules governing the licensure field;

D. the teacher preparation institution which offers the program leading to licensure verifies that the applicant has completed an approved teacher licensure program at that institution and recommends the applicant for a license in a licensure field at a licensure level;

E. the applicant has completed a major or minor program leading to teacher licensure as verified by the transcript issued by the institution recommending the applicant for licensure; and

F. the applicant has completed student teaching in the licensure field and at the licensure level of the program.

5. Minn. R. 8700.2900 (1995) establishes academic content standards for teacher preparation programs for candidates for elementary school licensure. Subpart 3(C) requires courses in the content and methods of teaching art, communication skills, health, mathematics, music, physical education, science, social studies, and interdisciplinary studies for a candidate for elementary licensure.

6. Applicant's coursework does not meet the content and methods requirements for art, music, physical education, health, science, and social studies for elementary licensure under Minn. R. 8700.2900, subp. 3(C).

7. Minn. R. 8700.2900, subp. 3(D)(2) (1995), requires candidates for elementary licensure to perform one academic quarter of student teaching in a school setting. One academic quarter is the equivalent of 300 hours in a practicum.

8. Applicant has not met the requirements for one academic quarter of student teaching required by Minn. R. 8700.2900, subp. 3(D)(2) (1995).

9. Thirty semester hours of elementary school education, including a course in kindergarten education, and 150 hours of kindergarten student teaching are required of applicants for licensure as a kindergarten teacher under Minn. R. 8700.3000 (1995).

10. Applicant's coursework does not meet the requirements for kindergarten licensure and she does not have the required for kindergarten student teaching.

11. Prekindergarten coursework in the amount of twenty-seven quarter hours or eighteen semester hours is required for a prekindergarten license by Minn. R. 8700.3200 (1995).

12. Applicant does not have the prekindergarten coursework required for a prekindergarten teaching license.

Based upon the foregoing Conclusions, the Administrative Law Judge makes the following:

### **RECOMMENDATION**

IT IS HEREBY RESPECTFULLY RECOMMENDED that the Board of Teaching AFFIRM the denial of the application of Premro Golden for a teaching license.

Dated this 3rd day of December, 1997

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STEVE M. MIHALCHICK  
Administrative Law Judge

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### **NOTICE**

Pursuant to Minn. Stat. § 14.62, subd. 1, the Board is required to serve its final decision upon each party and the Administrative Law Judge by first-class mail.

Reported: Taped, no transcript prepared

### **MEMORANDUM**

The Applicant acknowledges that she does not have the student teaching hours required. Moreover, several of her courses did not contain the necessary instruction on the methodology of teaching. Therefore, Applicant's appeal must be denied.

At the hearing, Board staff indicated that they will work with the Applicant to clarify what areas of coursework and what amount of supervised teaching experience will be required before a license can be granted.

S.M.M.